THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.22988 OF 2005

Dated: 25.10.2005

Between

Yaparla Yannappa, S/o. Uligappa, Havaligi Villlage, Vidapanakal Mandal, Ananthapur District.

...PETITIONER

AND

The Election Officer, PACS, Pedda Kottapalli, Vidapanakal Mandal, Ananthapur District and others.

...RESPONDENTS

ORDER:

The petitioner questions the acceptance of the nomination paper of the fourth respondent for contesting to the elections scheduled to be held on 26.10.2005 to the PACs, Peddakottalapalli, Vidapanakal Mandal, Anathapur District, on the ground that the fourth respondent has got more than two children, as there is a prohibition to contest in elections in respect of persons who has got more than two children after 01.01.1996. Accordingly, the petitioner filed an objection application on 19.10.2005 but without considering and disposing the said objection filed by the petitioner the nomination paper of the fourth respondent was accepted.

Whether the fourth respondent has got more than two children after the prohibited date is a matter to be enquired into either

suo motto or on the objection filed by the petitioner. Therefore, I am not inclined to grant any relief declaring the nomination of the fourth respondent as invalid.

The writ petition is accordingly disposed of directing the election officer to consider and dispose of the objections filed by the petitioner.

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V. ESWARAIAH, J

October 25, 2005

DSK